



Entered on Docket  
August 19, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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E-FILED: August 4, 2009

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In Re:	)	Case No. BKS-09-19127-MKN
	)	Chapter 13
	)	
	)	
Xavier W. Ross,	)	Hearing Date: July 30, 2009
	)	Hearing Time: 3:30 P.M.
	)	
Debtor(s).	)	
	)	
	)	

**ORDER ON MOTION TO VALUE COLLATERAL, "STRIP OFF" AND  
MODIFY RIGHTS OF COUNTRYWIDE HOME LOANS (ACCT ENDING IN  
6295) PURSUANT TO 11 U.S.C. §506(a) AND §1322 BY DEBTOR**

THE ABOVE MATTER having been heard at the time and date above the Court Finds as follows:

1. The Debtor's property located at 2700 OTTER CREEK COURT, LAS VEGAS, NEVADA, 89117-1727 (the "Subject Property") is valued at \$89,000.00.

2. That on the filing date of the instant Chapter 13 petition,  
COUNTRYWIDE HOME LOANS (ACCT ENDING IN 6295)'s claim  
was wholly unsecured.

**IT IS THEREFORE ORDERED THAT** COUNTRYWIDE HOME LOANS  
(ACCT ENDING IN 6295)'s secured claim is "Stripped off" and shall be avoided  
pursuant to 11 U.S.C. Section 506(a);

**IT IS FURTHER ORDERED THAT** COUNTRYWIDE HOME LOANS  
(ACCT ENDING IN 6295)'s secured rights and/or lien-holder rights in the Subject  
Property are hereby terminated and COUNTRYWIDE HOME LOANS (ACCT ENDING  
IN 6295)'s claim shall be treated as an "unsecured" claim in the Debtor's Chapter 13;

**IT IS FURTHER ORDERED THAT** in the event the instant Chapter 13 matter  
is dismissed or converted to a Chapter 7 proceeding the instant Order shall be vacated.

DATED August 4, 2009.

HAINES & KRIEGER, L.L.C.

By: /s/David Krieger, Esq.  
David Krieger, Esq.  
Attorney for Debtor(s)

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**ALTERNATIVE METHOD re: RULE 9021:**

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED:

DISAPPROVED:

FAILED TO RESPOND: Rick A. Yarnall, Esq.

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